

Fill in this information to identify the case:

United States Bankruptcy Court for the:

Northern District of Texas

(State)

Case number (if known): Chapter

☐ Check if this is an amended filing**Official Form 201****Voluntary Petition for Non-Individuals Filing for Bankruptcy** 04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Eventide Credit Acquisitions, LLC

2. All other names debtor used in the last 8 years

Include any assumed names, trade names, and *doing business as* names

3. Debtor's federal Employer Identification Number (EIN) 47 - 3061353

4. Debtor's address

Principal place of business		Mailing address, if different from principal place of business
1920	McKinney Ave	
Number	Street	Number Street
7 th Floor		P.O. Box
Dallas	TX	75201
City	State	ZIP Code
Dallas		
County		
Location of principal assets, if different from principal place of business		
		Number Street
		City State ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify: _____

Debtor

Eventide Credit Acquisitions, LLC
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201 A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY

District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____

District _____ When _____
MM / DD / YYYY

Case number, if known _____

List all cases. If more than 1, attach a separate list.



Debtor Eventide Credit Acquisitions, LLC
Name

Case number (if known) _____

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number Street

City

State

ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____

Contact name _____

Phone _____

Statistical and administrative information**13. Debtor's estimation of available funds**

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input checked="" type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Eventide Credit Acquisitions, LLC Case number (if known) _____
Name

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.


Executed on 1/28/2020
MM / DD / YYYY


 Signature of authorized representative of debtor

Drew McManigle
 Printed name

Title Manager

18. Signature of attorney

 s/ Bernard R. Given, II
 Signature of attorney for debtor
 Eventide Credit Acquisitions, LLC

Date 01/28/2020
MM / DD / YYYY

Bernard R. Given, II
 Printed name

Loeb & Loeb LLP

Firm name

10100 Santa Monica Blvd., Suite 2200

Number Street

Los Angeles

City

CA

State

90067

ZIP Code

310-282-2000

Contact phone

bgiven@loeb.com

Email address

07990180

Bar number

TX

State

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

In re:	§	
	§	
Eventide Credit Acquisitions, LLC	§	Case No. 20-_____
	§	
Debtor.	§	Chapter 11
	§	
	§	
	§	


**CORPORATE OWNERSHIP STATEMENT PURSUANT TO
FEDERAL RULE OF BANKRUPTCY PROCEDURE 1007(a)(1) AND 7007.1**

Pursuant to Rules 1007(a)(1) and 7007.1 of the Federal Rules of Bankruptcy Procedure, Eventide Credit Acquisitions, LLC, the above-captioned debtor and debtor in possession, (the “**Debtor**”) respectfully represents that the following corporate entities directly or indirectly own 10% or more of any class of the Debtor’s equity interests:

- Breakwater Holding, LLC owns 59.5% of the Debtor.
- Gallant Capital, LLC owns 25.5% of the Debtor.

I, Drew McManigle, the Manager of the above-captioned Debtor, declare under penalty of perjury that I have read the foregoing *Corporate Ownership Statement Pursuant to Federal Rule of Bankruptcy Procedure 1007(a) and 7007.1* and that it is true and correct to the best of my information and belief.

Dated: January 28, 2020



Drew McManigle
Manager, Eventide Credit Acquisitions, LLC

**EVENTIDE CREDIT ACQUISITIONS, LLC
A DELAWARE LIMITED LIABILITY COMPANY**

CERTIFICATE OF COMPANY RESOLUTIONS

The undersigned hereby certifies that he is the sole Manager of Eventide Credit Acquisitions, LLC, a Delaware limited liability company (the "Company").

WHEREAS, the Manager consents to the adoption of the resolutions set forth herein by written consent and to the taking of any and all actions by M. Drew McManigle, Chief Restructuring Officer of the Company (the "CRO"), the Company, and the Company's representatives necessary or appropriate to give effect to such resolutions and directs that his consent be placed in the minutes and records of the Company.

WHEREAS, the Manager consents to the adoption of the resolutions set forth herein by written consent and to the taking of all actions by the CRO, the Company, and the Company's representatives necessary or appropriate to give effect to such resolutions and directs that his consent be placed in the minutes and records of the Company.

NOW, THEREFORE, BE IT

RESOLVED, that, in order to ensure a fiscally sound restructuring, the Manager has determined that it is in the Company's best interest for the Company to file for relief under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code"), to be filed as and at such time as the CRO deems appropriate; and

RESOLVED, that the CRO and the Company's representatives are authorized to proceed with the preparation and filing of a voluntary petition for relief under chapter 11 of the Bankruptcy Code for the Company, to be filed as and at a time the CRO deems appropriate; and

RESOLVED, that the law firm of Loeb & Loeb LLP be, and hereby is, retained as attorneys for the Company to advise the Company in and in connection with its chapter 11 bankruptcy filing, subject to approval (for services rendered after the filing of a bankruptcy petition) of the Bankruptcy Court, and the retention of Loeb & Loeb LLP to perform all services rendered to date in aid of the Company's prospective chapter 11 filing and otherwise is hereby ratified in all respects; and

RESOLVED, that the Company is hereby authorized to and approved to enter into a Debtor in Possession financing agreement and all documents ancillary thereto (the "DIP Loan Documents") (such approval to be evidenced by the signature thereon of the CRO or his designee) after and in connection with the Company's bankruptcy filing, pursuant to which the Company shall be authorized to borrow money secured by substantially all of the Company's assets, subject to the terms of the DIP Loan Documents and approval of the Bankruptcy Court; and

RESOLVED, that the CRO, and any other Company representative (including, without limitation, Loeb & Loeb LLP) designated by the CRO, is authorized to negotiate with the Company's creditors and prepare and propose the terms of a plan of reorganization or other creditor treatment as he (or his designees) may deem to be feasible and in the best interest of the Company and its creditors; and

RESOLVED, that the CRO is hereby specifically authorized: (i) to prepare and file (or to have prepared and filed) on behalf of the Company a petition for relief under chapter 11 of the Bankruptcy Code; (ii) to execute on behalf of the Company such petitions, schedules and statements as he may deem necessary or appropriate in connection therewith; and (iii) to execute such further documents and do such further acts as the CRO may deem necessary or appropriate with respect to the foregoing, or any of the other resolutions set forth herein, including the filing of any petition or motion for relief under any other chapter of the Bankruptcy Code, the execution of any document or the doing of any act by the CRO or his designees in connection with such proceedings to be conclusively presumed to be authorized; and

RESOLVED, that the CRO is authorized to authorize and/or direct the filing by Loeb & Loeb LLP of any paper, pleading or other document, or the taking of any other action by Loeb & Loeb LLP, that he may deem necessary or appropriate in connection with the Company's chapter 11 case or restructuring efforts; and

RESOLVED, that the CRO be, and hereby is, authorized on behalf of the Company to take any and all actions, to execute, deliver, certify, file and/or record and perform any and all documents, agreements, instruments, motions, affidavits, applications for approval or rulings of governmental or regulatory authorities or certificates and to take any and all steps, including the payment of any costs, fees or expenses, deemed by the CRO to be necessary or desirable to carry out the purposes and intent of each of the foregoing resolutions and to effectuate a successful chapter 11 case; and

RESOLVED, that any and all actions heretofore taken by the CRO or his designees, including without limitation any Company employee or representative, in the name and on behalf of the Company in furtherance of the purpose and intent of any or all of the foregoing resolutions, be, and hereby are, ratified, confirmed and approved in all respects; and

The undersigned further certifies that the foregoing resolutions are in full force and effect on the date hereof as resolutions duly adopted by the Manager and have been in full force and effect at all times subsequent to their adoption, not having been amended, repealed or modified.

IN WITNESS WHEREOF, the undersigned has executed this certificate, as of
January 27, 2020.



Drew McManigle, Manager

[Signature page to Eventide Credit Acquisitions, LLC Certificate of Company Resolutions]

Fill in this information to identify the case:Debtor name Eventide Credit Acquisitions, LLCUnited States Bankruptcy Court for the: Northern District of Texas
(State)

Case number (If known): _____

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders**

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1	Armstrong Teasdale	Attn: Richard Scheff, Esq. 1500 Market Street 12th Floor, East Tower Philadelphia, PA 19102 rlscheff@armstrongteasdale.com	Professional Services	Unliquidated			2,000,000.00
2	Pax ADR, LLC	2101 L Street, N.W., Suite 800 Washington, DC 20037 baugher@paxadr.com	Account Payable				1,500.00
3	Lac Vieux Desert Band of Lake Superior Chippewa Indians	Karrie S. Wichtman, General Counsel N4698 US 45 P.O. Box 249 Watersmeet, Michigan 49969	Litigation	Contingent, Unliquidated Disputed			Unknown
4	Tribal Economic Development Holdings, LLC	Karrie S. Wichtman, General Counsel N4698 US 45 P.O. Box 249 Watersmeet, MI 49969	Litigation	Contingent, Unliquidated Disputed			Unknown
5	Big Picture Loans, LLC	E23970 Pow Wow Trail Watersmeet, MI 49969	Litigation	Contingent, Unliquidated Disputed			Unknown
6	Ascension Technologies, LLC	E23970 Pow Wow Trail Watersmeet, MI 49969	Litigation	Contingent, Unliquidated Disputed			Unknown

Debtor Eventide Credit Acquisitions, LLC
NameCase number (if
known)

	Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
7	James Dowd	2014 Calle Las Violetas San Juan, PR 00915-3537	Litigation	Contingent, Unliquidated Disputed			Unknown
8	Simon Liang	119 Gascony Dr. Greenville, SC 29609-6048	Litigation	Contingent, Unliquidated Disputed			Unknown
9	Brian McFadden	3133 Indian Pont Road Saugatuck, MI 49453	Litigation	Contingent, Unliquidated Disputed			Unknown
10	Renee Galloway and all plaintiffs	c/o Leonard Anthony Bennett Consumer Litigation Associates 763 J Clyde Morris Boulevard Suite 1A Newport News, VA 23601 lenbennett@clalegal.com	Litigation	Contingent, Unliquidated Disputed			Unknown
11	Richard L. Smith, Jr. and all plaintiffs	c/o Michael A. Caddell, Esq. Caddell & Chapman 628 East 9th Street Houston TX 77007 mac@caddellchapman.com	Litigation	Contingent Unliquidated Disputed			Unknown
12	Dana Duggan and all plaintiffs	c/o Michael A. Caddell, Esq. Caddell & Chapman 628 East 9th Street Houston TX 77007 mac@caddellchapman.com	Litigation	Contingent, Unliquidated Disputed			Unknown
13							
14							
15							
16							

17							
18							
19							
20							



Fill in this information to identify the case and this filing:

Debtor Name Eventide Acquisitions, LLCUnited States Bankruptcy Court for the: Northern District of Texas
State)

Case number (if known): _____

Official Form 202**Declaration Under Penalty of Perjury for Non-Individual Debtors**

5

12/1

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets-Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ Amended Schedule _____
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/28/2020
MM / DD / YYYY

x 
Signature of individual signing on behalf of debtor

Drew McManigle
Printed name

Manager
Position or relationship to debtor